

REMARKS

Claims 1 and 12 are in the application, with Claim 1 being independent. Claims 2, 3, and 13 have been cancelled without prejudice. Claim 1 has been amended herein. Reconsideration and further examination are respectfully requested.

Claims 1 to 3, 12, and 13 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,239,579 (Dunn). The rejection is respectfully traversed.

According to a feature of the invention as recited by Claim 1, the rechargeable battery includes a switch configured to series connect said plurality of cells when the battery is not attached to a charger such that electric power can be extracted from the series-connected plurality of cells through said first electrode, and configured to electrically separate said plurality of cells from one another when the battery is attached to the charger such that each of said plurality of cells can be charged individually by the charger through said second electrode.

Dunn is not seen to disclose or suggest at least the above-discussed feature.

Dunn is merely seen to describe a switch for connecting each cell of a battery pack to a variable discharge load or a single cell charger so as to measure the operative capacity of each cell. See col. 5, lines 27 to 60 and Fig. 3 of Dunn.

Claim 12 is also submitted to be patentable because it sets forth additional aspects of the present invention and is dependent from the independent claim discussed above. Therefore, separate and individual consideration of Claim 12 is respectfully requested.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

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